

**MINUTES OF THE
NATURAL RESOURCES APPROPRIATIONS SUBCOMMITTEE
February 12, 2009
Room 415, State Capitol Building, State Capitol Complex**

MEMBERS PRESENT: Sen. Dennis Stowell, Co-Chair
Rep. Kerry W. Gibson, Co-Chair
Sen. David Hinkins
Rep. Roger Barrus
Rep. Jack Draxler
Rep. James R. Gowans
Rep. John G. Mathis
Rep. Michael E. Noel
Rep. Christine Watkins
Rep. Brad Winn

MEMBERS ABSENT: Sen. Brent Goodfellow

STAFF: Ivan Djambov, Fiscal Analyst
Linda Service, Committee Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

Rep. Gibson called the meeting to order at 2:38 p.m.

MOTION: Rep. Winn moved to accept the minutes of February 5, 2009. The motion passed unanimously.

Intent Language: Fiscal Analyst

Ivan Djambov, Fiscal Analyst, introduced the Issue Brief: Intent Language which is a summary of the Intent Language for FY 2010 recommended for approval. He also presented the Issue Brief: Nonlapsing Funds which allows an agency to request any or all of its appropriation balance as part of its budget request.

MOTION: Sen. Stowell moved to approve the intent language as presented in Issue Brief: Intent Language. The motion passed unanimously.

MOTION: Sen. Stowell moved to approve the requests for nonlapsing balances as presented in Issue Brief: Nonlapsing Funds. The motion passed unanimously with Rep. Noel absent for the vote.

MOTION: Sen. Stowell moved to approve the federal funds as presented in Issue Brief: Federal Funds. The motion passed unanimously with Rep. Noel absent for the vote.

Darin Bird, DNR, responded to questions from the Committee.

MOTION: Rep. Noel moved to remove all the restricted funds from the base budget of the Public Lands Policy Coordination Office (including the FY 2009 funding) so that the money will be in the Constitutional Defense Fund ready to be appropriated at the end of this Legislative

Session.

John Harja, Director, Public Lands Policy Coordination Office, responded to the motion.

SUBSTITUTE MOTION: Sen. Stowell moved to remove the restricted funds starting with FY 2010. The motion passed unanimously.

MOTION: Sen. Stowell moved to approve the Base Budget for each of the four departments, including ongoing components in H.B. 3 as presented in Base Budget for Approval with the one change on the Public Lands Policy Office. The motion passed unanimously with Rep. Noel absent for the vote.

MOTION: Rep. Mathis moved to approve the building blocks recommended by the Fiscal Analyst in the Funding Increases table with one change which is to Insert Line A20 and add \$200,000 one-time funding under SITLA for Federal Land Tenure Issues.

SUBSTITUTE MOTION: Rep. Gowans moved to adopt the Funding Increases table, including the new line A20 and an additional Line A21, SITLA, request for Capital Expenditures \$2,245,000. The motion passed with Rep. Barrus and Rep. Draxler voting in opposition. Rep. Noel was absent for the vote.

Kevin Carter, Director, SITLA, responded to questions from the Committee.

MOTION: Rep. Mathis moved to approve fees as presented by the Fiscal Analyst, including fees for the Organic Certification Program and proposed by the Department of Agriculture and Food. The motion passed unanimously with Rep. Noel absent for the vote.

MOTION: Sen. Stowell moved to adopt the option: Entity Fee on fees for the Stream Alteration Permit Fee schedule.

Boyd Clayton, Utah Division of Water Rights, and Kent Jones, State Engineer responded to the motion.

SUBSTITUTE MOTION: Rep. Barrus moved to adopt option: Impact Fee on fees for the Stream Alteration Permit Fee schedule. The motion failed with Rep. Barrus, Rep. Draxler, and Rep. Gowans voting in favor of the motion. Rep. Noel was absent for the vote.

Sen. Stowell's motion was voted on. The motion passed unanimously with Rep. Noel absent for the vote.

MOTION: Sen. Stowell moved to approve the budget reductions as presented in Budget Reductions for FY 2010 and if other money becomes available, start at the top and go down the prioritized list. The motion passed unanimously with Rep. Noel absent for the vote.

Mary Tullius, Director of State Parks and Recreation, responded to the motion.

MOTION: Sen. Stowell moved to include intent language for the Division of Water Rights to study the feasibility of decentralizing the approval process of small water rights and report back to the Natural Resources Appropriations Subcommittee during the 2010 General Session. The motion passed unanimously with Rep. Noel absent for the vote.

Director Styler commented on the motion.

MOTION: Rep. Mathis moved to request the EAC appropriate \$10 million to the Water Resources Board for water projects. The motion passed unanimously with Rep. Noel absent for the vote.

MOTION: Rep. Mathis moved to request the EAC appropriate \$10 million for the Rural Rehab loan fund because of the critical and immediate challenges facing animal agriculture. The motion passed unanimously with Rep. Noel absent for the vote.

MOTION: Rep. Mathis moved to request the EAC appropriate an ongoing portion of the severance tax funding for projects that mitigate the impact, such as watershed development, grazing improvement projects, rangeland improvement, invasive species, Quality Growth Commission. The motion passed unanimously with Rep. Noel absent for the vote.

MOTION: Rep. Mathis moved to adjourn at 4:23 p.m. The motion passed unanimously.

Sen. Dennis Stowell, Co-Chair

Kerry W. Gibson, Co-Chair

